

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellant: Jos Jaspers et al.

Examiner: Haoshian Shin

Serial No.: 10/749,421

Group Art Unit: 2173

Filed: December 31, 2003

Docket No.: 200901437-1

Title: CONTENT MANAGEMENT IN WEB ENVIRONMENTS

REPLY BRIEF TO EXAMINER'S ANSWER

Mail Stop Appeal Brief – Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This Reply Brief is presented in response to the Examiner's Answer mailed November 26, 2010, and in support of the Notice of Appeal filed July 19, 2010 and the Appeal Brief filed September 20, 2010, appealing the rejection of claims 1, 3, 4, 8, 10-17, 20, and 22-27 of the above-identified application as set forth in the Final Office Action mailed April 19, 2010.

At any time during the pendency of this application, please charge any fees required or credit any overpayment due to Deposit Account No. 08-2025 pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees required to Deposit Account No. 08-2025 under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Appellant respectfully requests reconsideration and reversal of the Examiner's rejection of pending claims 1, 3, 4, 8, 10-17, 20, and 22-27.

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ARGUMENT

All arguments presented in Appellants' Brief are incorporated by reference herein. Further, Appellants responds to the Examiner's Answer as follows.

I. Claims 1, 3-4, 8, 10-17, 20, and 22-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Underwood et al. U.S. Patent No. 7,152,207 (The Underwood Patent) in view of the Giljum et al. U.S. Patent No. 6,745,238 (The Giljum Patent).

Claims 1, 3-4, 8, 10-17, 20, and 22-26 were rejected based on a combination of the Under Patent and the Giljum Patent. Claims 2, 5-7, 9, 18, and 21 had previously been canceled. Claims 1 and 14 are the independent claims pending in the application. Claims 3-4, 8, 10-13, and 26 depend from claim 1, and claims 15-17, 20, 22-25 depend from claim 14.

Appellants have argued that the cited portions in the Underwood Patent, and any other portions, do not teach or make obvious at least one of two cited features of the independent claims. For example, Appellants have stated that the Underwood Patent does not teach or make obvious features of claims 1 and 14 including:

the request to publish content is received in connection with a display of the particular location on a user interface and the identified content is published at the particular location;

The Answer at pages 4 and 5 cites Figures 23 and 24, and accompanying text at column 16, lines 43-46 and column 17, lines 43-50 for this teaching. The Underwood Patent here discloses providing an icon at various location of site template. In particular, the Answer cites Figure 23 and text as disclosing an icon next to a label "We put the pizzazz into new product launches." This icon provides a drop down menu allowing a user to associate an image selected from a library to the label.

All of these editing techniques taught in the Underwood Patent occur at in a display area of a template. There is no teaching how these edits correspond to the action published page. In other words, the Underwood Patent does not teach or make obvious how the icon next to the label will translate into a published page.

In contrast, the independent claims set forth "the identified content is published at [a particular location]" which is the same particular location where it is received. The Underwood Patent does not include a template that corresponds directly with what is

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published. Instead, the template of the Underwood Patent cited in the Answer does not receive content at the particular location that it is published.

These features are not alleged to be taught or made obvious and in fact are not taught or made obvious in the Giljum Patent. Because these features are missing from each of the references separately, the features cannot be found in any proposed combination of the references. Accordingly, Appellants request reversal of the rejection of claims 1, 3-4, 8, 10-17, 20, and 22-26 under 35 U.S.C. § 103(a) and allowance of these claims.

II. Rejection of claim 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Underwood Patent in view of the Giljum Patent and in further view of the Maeno et al. U.S. Patent No. 7,299,414 (the Maeno Patent).

Claim 27 indirectly depends from independent claim 1 which has been shown to be patentably distinguishable from a proposed combination of the Underwood and Giljum Patents. The Maeno Patent also does not teach or make obvious the above-quoted features of independent claim 1. Because these features are missing from each of the Underwood, Giljum and Maeno Patents separately, the features cannot be found in any proposed combination of the references. Therefore, Appellant respectfully requests reversal of the rejection of claim 27 under 35 U.S.C. § 103(a) and allowance of these claims.

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CONCLUSION

For the above reasons, Appellant respectfully submits that the art of record neither anticipates nor renders obvious the claimed invention. Thus, the claimed invention does patentably distinguish over the art of record. Appellant, therefore, respectfully submits that the above rejections are not correct and should be withdrawn, and respectfully requests that the Examiner be reversed and that all pending claims be allowed.

Any inquiry regarding this Reply Brief should be directed to Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005.

Respectfully submitted,

Jos Jaspers et al.,

By their attorneys,

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PGB:cmj:mlm:cms

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